

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

CARL YOUNG, et al.,
Plaintiffs,

v.

CITY OF BERKELEY, et al.,
Defendants.

Case No. [16-cv-00931-VC](#)

ORDER TO SHOW CAUSE

This lawsuit was filed on February 24, 2016. Roughly three and a half months later, there is no indication that the plaintiffs have done anything to prosecute the case. There is no proof of service on the docket. Accordingly, the plaintiffs are ordered to show cause why the case should not be dismissed under Rule 41(b) for failure to prosecute, or for failure to serve the defendants.

In addition, at first glance this lawsuit appears to be barred by *Heck v. Humphrey*, 512 U.S. 477 (1994), and its California analogue, because it challenges the validity of ongoing criminal proceedings against the lead plaintiff. Accordingly, the plaintiffs are ordered to show cause why the case should not be dismissed on this ground as well.

The plaintiffs' response to this order to show cause, not to exceed 15 pages, is due June 13, 2016.

In the event the case is not dismissed, a further case management conference shall take place June 28, 2016. An updated joint case management statement is due no later than June 21, 2016.

IT IS SO ORDERED.

Dated: June 8, 2016



VINCE CHHABRIA
United States District Judge